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*Attorneys for Defendant True Ultimate Standards Everywhere, Inc.
(sued herein as Trusted Universal Standards in Electronic Transactions, Inc.)*

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

RUSS SMITH, pro se,

Plaintiff,

v.

TRUSTED UNIVERSAL STANDARDS IN
ELECTRONIC TRANSACTIONS, INC.
(d/b/a TRUSTe, Inc.); MICROSOFT, INC.;
CISCO SYSTEMS, INC.; and COMCAST
CABLE COMMUNICATIONS, LLC

Defendant.

**Civil Action No. 1:09-CV-04567-RBK-
KMW**

Document Electronically Filed

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying supporting memorandum of law, defendant True Ultimate Standards Everywhere, Inc. ("TRUSTe," sued herein as Trusted Universal Standards in Electronic Transactions, Inc.), by its undersigned counsel, will move this Court at the Mitchell H. Cohen Building & U.S. Courthouse, 4th and Cooper Streets, Camden, New Jersey, before the Honorable Karen M. Williams, on the 2nd day of November, 2009, or as soon thereafter as counsel can be heard, for an Order, pursuant to Article III of the U. S. Constitution and Fed. R. of Civ. P. 12(b)(6), dismissing the complaint filed by plaintiff Russ

Smith against defendant TRUSTe for lack of standing and failure to state a claim.

PLEASE TAKE FURTHER NOTICE that, in accordance with Local Civil Rule 7.1, any opposition papers must be served and filed at least fourteen (14) days prior to this return date of this motion.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted herewith.

Dated: September 29, 2009

Respectfully Submitted,

FOLEY & LARDNER LLP

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TO: Clerk of the Court
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets Room 1050
Camden, NJ 08101

Honorable Robert B. Kugler
United States District Judge
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets Room 1050
Camden, NJ 08101

Honorable Karen M. Williams
United States Magistrate Judge
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets Room 1050
Camden, NJ 08101

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